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February 1, 2019

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VIA ECF FILING

The Honorable Colm F. Connolly
United States District Court
J. Caleb Boggs Federal Building
844 N. King Street
Unit 31
Room 4124
Wilmington, DE 19801-3555

RE: *Lampkins v. Mitra QSR KNE, LLC*
Civil Action No. 1:16-cv-00647-CFC

Dear Judge Connolly:

Defendant submits this brief statement concerning its position on the Plaintiff's characterization of her "protected status" on her claims under Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.* Defendant opposes the use of the phrase "nursing mother." A nursing mother is feeding a child at the time of the nursing (or breast-feeding her baby). A woman who pumps is not nursing her child at the time of pumping. Pumping is a way to feed that child at a later date by the woman or by another individual. In short, a woman cannot nurse and pump at the same time.

Further, the term "nursing mother" has a danger of raising sympathy with the jury. The statute prohibits discrimination based on sex, and the common terminology used in cases of this type is "woman" or "man."

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Respectfully submitted,

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